

California Department of Insurance

Fraud Division

February 2011 Workers' Compensation Fraud Convictions

Effective January 01, 2005, Assembly Bill 2866 (Frommer) enacted Insurance Code Section 1871.9 requiring the posting of all workers' compensation fraud convictions to the CDI website.

Per section 1871.9, the department shall post all of the following information on its Internet Web site for each person, as defined in Section 19, convicted of a violation of this article (1871.4), Section 11760 or 11880, Section 3700.5 of the Labor Code or Section 487 or 550 of the Penal Code, if the violation involved workers' compensation insurance, services or benefits:

- The name, case number, county or court and other identifying information with respect to the case.
- The full name of the defendant.
- The city and county of the defendant's last known residence or business address.
- The date of conviction.
- A description of the offense.
- The amount of money alleged to have been defrauded.
- A description of the punishment imposed, including the length of any sentence of imprisonment and the amount of any fine imposed.

The information required to be posted under this section shall be maintained on the department Web site for a period of five years from the date of conviction or until the department is notified in writing by the person that the conviction has been reversed or expunged.

Note: If new documentation has been received that in any way affects the conviction information contained herein, please forward that documentation with an explanation to:

Bureau Chief, Workers' Compensation Program
9342 Tech Center Drive, Suite 100
Sacramento, CA 95826

A determination to make any changes will be made within sixty (60) days of receipt of the information.

February 2011 Workers' Compensation Fraud Convictions

CDI Case Name: Rick's Tree Service
CDI Case Number: 10BW012087
County: Contra Costa
Defendant: Enrique Carbajal
City/County of Residence: Pittsburgh/Contra Costa
Conviction Date: 02/28/11
Offense: 1 Count of LC 3700.5 (No Workers' Compensation Insurance)
Amount Allegedly Defrauded: N/A
Sentence: 2 Years Court Probation, \$1,000 Criminal Fine

Case Number: BA379285
County: Los Angeles
Defendant: Carl Joe Gazafy
City/County of Residence: Not available at this time
Conviction Date: 02/22/11
Offense: 1 Count of IC 1871.4(a)(1) (Make or Cause to be Made a Knowingly False or Fraudulent Material Statement or Material Representation for the Purpose of Obtaining Compensation)
Amount Allegedly Defrauded: \$7,905
Sentence: 2 Days County Jail, 3 Years Formal Probation, \$7,905 Restitution, \$200 Civil Fine

CDI Case Name: R. J. Haas, et. al.
CDI Case Number: 07GW000617
County: Santa Clara
Defendant: Ronald Jay Haas
City/County of Residence: Saratoga/Santa Clara
Conviction Date: 02/14/11
Offense: 2 Counts of IC 11760(a) (Misrepresent Fact to Obtain Workers' Compensation); 1 Count of IC 11880(a) (Premium Fraud); 1 Count of IC 1871.4(a)(4) (Workers' Compensation Insurance Fraud); 1 Count of IC 1871.4(a) (False Claim); 1 Count of PC 550(b)(3) (Failure to Disclose); 1 Count of PC 118 (Perjury)
Amount Allegedly Defrauded: \$1,550,841.50
Sentence: 1 Year County Jail, 3 Years Formal Probation, \$1,550,841.50 Restitution, \$2,000 Civil Fine

Case Number: 62-101799
County: Placer
Defendant: David Lamarr Holmes
City/County of Residence: Roseville/Placer
Conviction Date: 02/10/11
Offense: 1 Count of LC 3700.5 (No Workers' Compensation Insurance)
Amount Allegedly Defrauded: N/A
Sentence: 1 Year Conditional Probation, \$100 Civil Fine, \$1,300 Criminal Fine

Case Number: BA369626
County: Los Angeles
Defendant: Diego Steve Placencia
City/County of Residence: Not available at this time
Conviction Date: 02/08/11
Offense: 1 Count of PC 118(a) (Perjury)
Amount Allegedly Defrauded: \$9,000
Sentence: 1 Day County Jail, 350 Hours Community Service, 3 Years Formal Probation, \$9,000 Restitution, \$200 Civil Fine

CDI Case Name: NBC General Contractors
CDI Case Number: 05BW017902
County: Alameda
Defendant: Joey Ruan
City/County of Residence: San Leandro/Alameda
Conviction Date: 02/09/11
Offense: 1 Count of IC 11880(a) (Premium Fraud)
Amount Allegedly Defrauded: \$5,000
Sentence: 240 Hours Community Service, 36 Months Court Probation, \$5,000 Restitution \$178 Criminal Fine, \$3,000 to Workers' Compensation Fraud Assessment Board

Case Number: 2010043621 MA
County: Ventura
Defendant: Sancho's II
City/County of Residence: Ventura/Ventura
Conviction Date: 2/28/11
Offense: 1 Count of LC 3700.5 (No Workers' Compensation Insurance)
Amount Allegedly Defrauded: N/A
Sentence: 12 Months Conditional Probation, \$10,000 Criminal Fine (\$9,000 Stayed)

Case Number: TCM243581
County: Tulare
Defendant: Dennis Ray Sweeden
City/County of Residence: Visalia/Tulare
Conviction Date: 02/22/11
Offense: 1 Count of LC 3700.5 (No Workers' Compensation Insurance)
Amount Allegedly Defrauded: N/A
Sentence: 60 Hours Community Service, 24 Months Summary Probation, \$1,750 Criminal Fine

CDI Case Name: Meineke Car Care Center
CDI Case Number: 09AW000132
County: Sacramento
Defendant: Cheryl Lynn Tarantino
City/County of Residence: Roseville/Placer
Conviction Date: 02/01/11
Offense: 1 Count of PC 550(b)(3) (Failure to Disclose) (Misdemeanor)
Amount Allegedly Defrauded: \$1,000
Sentence: 3 Years Informal Probation, \$100 Civil Fine, \$350 Criminal Fine

Case Number: M10919137

County: Fresno

Defendant: Maria Yolanda Valera

City/County of Residence: Patterson/Stanslaus

Conviction Date: 02/15/11

Offense: 1 Count of IC 1871.4(a)(1) (Make or Cause to be Made a Knowingly False or Fraudulent Material Statement or Material Representation for the Purpose of Obtaining Compensation)

Amount Allegedly Defrauded: \$500

Sentence: 3 Years Conditional Probation, \$500 Restitution